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7

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

10 MICHAEL CHABON, DAVID HENRY
11 HWANG, MATTHEW KLAM, RACHEL
12 LOUISE SNYDER, AND AYELET
WALDMAN,

13 individually and on behalf of all others
14 similarly situated,

15 Plaintiffs,

16 v.

17 META PLATFORMS, INC., a Delaware
Corporation,

18 Defendant.
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Case No. 3:23-cv-04663-VC

**JOINT STIPULATION RE CONSOLIDATED
BRIEFING ON MOTION TO DISMISS IN KADREY
AND CHABON ACTIONS**

1 This stipulation is entered into by and between Michael Chabon, David Henry Hwang,
2 Matthew Klam, Rachel Louise Snyder, and Ayelet Walman (collectively, “Plaintiffs”) and
3 Defendant Meta Platforms, Inc. (“Meta”) (together “the Parties”), by and through their
4 respective counsel.

5 WHEREAS, on September 12, 2023, Plaintiffs filed their complaint against Meta
6 captioned *Chabon, et al. v. Meta Platforms, Inc.*, Case No. 3:23-cv-04663-VC (“Chabon
7 Action”), which essentially alleges the same core, non-Plaintiff-specific facts and causes of
8 action as the prior filed complaint entitled *Kadrey, et al. v. Meta Platforms, Inc.*, Case No. 3:23-
9 cv-03417-VC (Kadrey Action”).

10 WHEREAS, on September 25, 2023, the Court issued an order instructing the Parties to
11 inform the Court no later than September 29, 2023, as to whether the Parties would stipulate that
12 the pending motion to dismiss in the Kadrey Action (Dkt. 23) (“Motion to Dismiss”) will apply
13 to the Chabon Action..

14 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE, that Meta’s Motion to
15 Dismiss will also be deemed directed to the complaint in the Chabon Action and that any ruling
16 by the Court will apply to both the Chabon Action and the Kadrey Action. For the sake of
17 clarity, Meta shall have no obligation to separately respond to the complaint in the Chabon
18 Action. Further, Plaintiffs will join in any opposition filed in the Kadrey Action, which will
19 apply to both the Chabon and Kadrey Actions, and Meta will file a single reply. This unified
20 briefing will be filed pursuant to the briefing schedule ordered by the Court in the Kadrey Action.
21 (Dkt. 15.) This stipulation is without prejudice to either party seeking consolidation of the
22 Chabon and Kadrey Actions or other appropriate relief as to any claims that are upheld.

23 IT IS SO STIPULATED.
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1 DATED: October 3, 2023

Respectfully submitted,

3 /s/ Daniel J. Muller

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Attorney for Meta Platforms, Inc.

Attestation Regarding Signatures

I, Daniel J. Muller, attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

/s/ Daniel J. Muller

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